

U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT (USAID)  
West Bank and Gaza Mission  
Office of Contracts Management



January 25, 2002

Subject: Request for Qualifications (RFQ) 294-2002-001- Amendment No. 1  
Gaza Regional Water Carrier (GRWC)

Dear Sirs or Madams:

The purpose of this amendment No. 1 to the subject RFQ is to modify the organizational structures that the prospective contractor can assume under this RFQ. Therefore, Request for Qualifications No. 294-2002-001 is hereby amended as follows:

**I. SECTION 2 – QUALIFICATION REQUIREMENT AND EVALUATION CRITERIA**

**2.3 FACTORS OTHER THAN NATIONALITY AFFECTING THE ELIGIBILITY OF FIRMS TO COMPETE FOR THE CONTRACT**

Insert the following at the end of sub-section 2.3.3:

“Offerors coming in under a joint venture arrangement shall make a case for why this arrangement is in the U.S. Government's best interests, and be VERY clear about what the lines of responsibility and accountability are. The Contracting Officer will look very carefully at the arrangement for the responsibility determination and will likely be cautious in order to protect the USG interests.”

**2.4 PRIME CONTRACTOR, SUBCONTRACTORS, AND SUPPLIERS**

- a) Delete section 2.5.2 in its entirety and insert in lieu thereof the following:

“2.5.2 A prime contractor and subcontractor(s) structure comprised of organizational options including:

- (A) A joint venture of several different companies including a construction company, a designer, and an operating company.
- (B) A construction contractor-led team with a design contractor or an operating contractor in support roles as subcontractors; or
- (C) A designer-led team with a construction contractor or an operating contractor in support roles as subcontractors; or
- (D) An operating contractor-led team with a construction contractor or a design contractor in support roles as subcontractors."

b) Delete sub-section 2.5.3 in its entirety and insert in lieu thereof the following:

"2.5.3 With respect to the qualification, the following shall apply:

- (A) A firm shall be permitted to apply for qualification as a single firm, as a joint venture or as a member of a Prime Contractor/Subcontractor team, but not both;
- (B) Deleted;
- (C) A firm may not be a member of more than one Prime Contractor/Subcontractor Team.
- (D) Only one firm within a group of companies may qualify either separately or as a member of a Prime Contractor/Subcontractor Team;
- (E) Suppliers of equipment, operation and maintenance contractors, or specialty subcontractors may be subcontractors to any number of prospective offerors. Specialty subcontractors are persons or firms who by reason of their greater specialization and experience may be able to carry out specific works or services or furnish certain supplies more efficiently than the Contractor. The works or services, which may be performed by specialty subcontractors are: dewatering, geotechnical consulting, laboratory services, field surveying, equipment testing and training.

- (F) West Bank and Gaza subcontractors are to be registered (as required) in their specialties as classified by the Palestinian Contractor Union.

\*It should be noted that if an offeror comes in under a joint venture arrangement he/she shall make a case for why this arrangement is in the U.S. Government's best interests, and be VERY clear about what the lines of responsibility and accountability are. The Contracting Officer will look very carefully at the arrangement for the responsibility determination and will likely be cautious in order to protect the USG interests.

Failure to comply with the above requirements may result in disqualification of the prospective Offeror concerned."

- c) Delete sub-section 2.5.4 in its entirety.
- d) Delete sub-section 2.5.5 in its entirety and insert in lieu thereof the following:

"2.5.5 After submission of a qualification package, prospective Offerors may add or delete subcontractors only if there is, as determined by USAID, a valid reason for such change and only after the written approval of USAID. USAID will approve such additions or deletions only if it can satisfy itself that any new subcontractor meets the qualification criteria to substantially the same extent as the previous subcontractor. Additions or deletions without approval by USAID may result in disqualification of that particular subcontractor or Prime Contractor/Subcontractor Team.

- e) Delete the first part of sub-section 2.5.6 in its entirety and insert in lieu thereof the following:

"2.5.6 Prospective Offerors are encouraged to seek the participation of local West Bank and Gaza contractors by subcontracting part of the Project works to, such contractors."

## **II. SECTION 3 – INSTRUCTIONS TO PROSPECTIVE OFFERORS**

### **3.2.1. General Information**

- a) Delete sub-paragraph (C) in its entirety and insert in lieu thereof the following:

“(C) Together with its application for qualification, a prospective Offeror shall submit affidavits as indicated in

Section 4.1 of this RFQ. The affidavit shall be sworn before a US Notary Public by the prospective Offeror's corporate secretary."

- b) Delete sub-paragraph (D) in its entirety.

### **III. SECTION 7– DEFINED TERMS**

- a) Delete the terms and definitions for Consortium, Consortium Leader and Design-Build in their entirety.
- b) Delete the words "and consortia" under the term "Offerors"

### **IV. ALL OTHER TERMS AND CONDITIONS OF THE REQUEST FOR QUALIFICATIONS AS ISSUED ON JANUARY 8, 2002 REMAIN THE SAME AND IN FULL FORCE AND EFFECT.**